

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In re patent application of: Date: March 9, 2007
Applicant : James A. Euchner, et al. Attorney Docket : F-660
Application No. : 10/645,376 Customer No. : 00919
Filed : August 21, 2003 Confirmation No. : 7462
Examiner : Jared Fureman Group Art Unit : 2876
Title : POSTAGE INDICIA INCLUDING ENCODED INK CHARACTERISTIC DATA

DECLARATION OF PRIOR ART IN THE UNITED STATES TO OVERCOME CITED PATENT (37 C.F.R. & 1.131)

1. This declaration is to establish completion of the invention this application in the United States, at a date prior to June 3, 2003, that is the effective date of the prior art Sansone United States Patent Number 6,574,000 B1 entitled "SYSTEM FOR THE ENHANCEMENT OF INFORMATION BASED INDICIA AND POSTAGE SECURITY DEVICES" which was cited by the Examiner.
2. The person making this declaration is the Attorney of Record in this application who is the Attorney for the Assignee (Pitney Bowes Inc.) of the entire right title and interest in this application. The assignment from the inventors of this Patent was recorded in the United States Patent and Trademark Office on August 21, 2003, reel/frame 0114423/0411 .
3. A copy of the Assignment of this Patent Application from inventors James A. Euchner and Judith D. Auslander to Pitney Bowes Inc. together with a copy of the United States Patent and Trademark Office Notice of Recordation of Assignment Document indicating the Assignment was recorded in reel/frame 014423/0411 is attached hereto as Exhibit A.
4. To establish the date of completion of the invention of this patent application Exhibits B and C are attached.
5. Exhibit B is a copy of a March 17, 2003, letter and a redacted copy of Disclosures 9244 and 9288, the undersigned sent to Patent Attorney Nate Levin who drafted the patent application for this invention requesting that he prepare a patent application for Invention Disclosures 9244 and 9288.

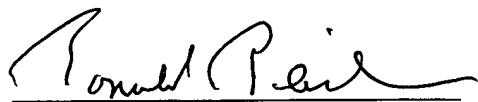
6. Exhibit C is a copy of a July 9, 2003, letter and draft Patent Application to the undersigned sent by Nathaniel (Nate) Levin.
7. From documents annexed hereto as Exhibits B and C, it can be seen that the invention in this application was made at least by the date of June 3, 2003, which is a date earlier than the effective date of the Sansone Patent.
8. The diligence of the applicant is established, from a time just prior to the date of the Sansone Patent, June 3, 2003, to the filing of this application on August 21, 2003, approximately two months has transpired. This declaration is being submitted prior to a Final Rejection.
9. As a person signing below:

I hereby declare all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Assignee:

Pitney Bowes Inc.
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Shelton CT 06484

Date March 9, 2007



Ronald Reichman
Senior Corporate Counsel
Who is authorized to sign on
Behalf of Pitney Bowes Inc.